



**ZONING ADMINISTRATOR  
NOTICE OF DECISION**

**Date:** August 13, 2010  
**Applicant:** Comunidad Cristiana del Gran Rey  
**Case No.:** PCC-10-030  
**Address:** 871 Harold Place, Suite 202  
**Project Planner:** Michael W. Walker

Notice is hereby given that on August 13, 2010 the Zoning Administrator considered Conditional Use Permit (CUP) application PCC-10-030, filed by Comunidad Cristiana del Gran Rey Church ("Applicant"). The Applicant requests to relocate the church to another suite in the same business complex ("Project"). The Project site is located at 871 Harold Place, Suite 202 ("Project Site") owned by Seymore Lewis Development Limited ("Property Owner"). The Project Site is zoned Business Center 1 (BC1) with a Limited Industrial (IL) General Plan designation. The Project is more specifically described as follows:

The Project is a request from the Comunidad Cristiana del Gran Rey Church to relocate from Suite 202 to Suite 301 located in an existing multi-tenant business complex. The church currently holds worship services in Suite 202 with a floor area of 1,834 square feet. The church has out grown this space and needs to relocate to Suite 301, which has a floor area of 3,801 square feet, enough space to accommodate the needs of the church. The church will continue to hold worship services and Bible study classes on Sundays only for a congregation of 175 people. The Project has a sanctuary 176 seating capacity that which requires 50 parking spaces per Section 19.62.050(9). There is sufficient parking available at the business complex to accommodate parking for the congregation attending Sunday worship services. This Conditional Use Permit will be valid for five (5) years.

The Project has been reviewed for compliance with the California Environmental Quality Act (CEQA), and it has been determined that the Project qualifies for a Class 1 categorical exemption pursuant to Section 15301 (existing facilities) in accordance with the State CEQA Guidelines. No further environmental review is necessary.

The Zoning Administrator, under the provisions of Section 19.14.030 and Section IV.1.G.5 (Public and Semi-Public Uses) of the Eastlake I SPA, has conditionally approved said request based upon the following findings of facts as required by CVMC Section 19.14.080:

**Findings of Fact are as follows:**

- 1. That the proposed use at this location is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood or community.**

The Comunidad Cristiana del Gran Rey Church will continue to provide a convenient place of choice for worship, for citizens residing in Chula Vista particularly living in the Eastlake community. The Church will occupy floor space in an existing business complex where other uses operate, but worship services and Bible classes will be offered on Sundays only. The use will be conducted at a convenient and accessible location that contains the amenities necessary to support the use.

- 2. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.**

The Church is located in an existing multi-tenant building within a business park, and has a congregation of approximately 175 people. The business complex will have sufficient on-site parking available for the Church's use. Sunday worship services will have minimal or no conflict with other businesses that may be operating within the complex on Sunday, and the Church's use is granted for a period of five years. For these reasons, the proposed use will not adversely impact the operation of adjacent businesses and will not be detrimental to the health, safety, and welfare of the persons, property and improvements in the vicinity.

- 3. That the use will comply with the regulations and conditions specified in the code for such use.**

Per CVMC Section 19.62.050(9), churches require one space per 3.5 seats in the auditorium. The Church requires 50 parking spaces for up to 176 seats. The business park property has a total of 91 on-site parking spaces available for all tenants. The remaining number of spaces within the business park is sufficient for the other tenants who may conduct on Sunday. The approval of this conditional use permit is contingent on the Applicant's and Property Owner's commitment to satisfy all conditions of approval and to comply with all applicable regulations and standards specified in the Municipal Code. The Applicant has committed to implement and satisfy all conditions of approval for the proposed use, and will comply with all applicable City zoning regulations.

- 4. That the granting of the Conditional Use Permit will not adversely affect the General Plan of the City or the adopted plan of any governmental agency.**

The church is a temporary use that provides a place of worship to community. The General Plan and EastLake I SPA Plan BC-1 district recognize churches as a public-quasi use. The Zoning Ordinance identifies a church as an "Unclassified Use", which is allowed in any zone with a conditional use permit. The temporary

conditional use permit for the church, will not affect the goals and objectives of the General Plan and EastLake SPA I Plan.

Approval of PCC-10-030 is conditioned upon the following conditions in Sections I, II and III:

**I. The following conditions of approval shall be satisfied prior to issuance of the building permit for the project:**

- A. The Property Owner and the Applicant shall execute this document by making a true copy of this Notice of Decision and signing both this original notice and the copy on the lines provided below, said execution indicating that the Property Owner and Applicant have each read, understood and agreed to the conditions contained herein, and will implement same. Upon execution, the true copy with original signatures shall be returned to the Development Services Department. Failure to return the signed true copy of this document within 30 days shall indicate the Property Owner/Applicant's desire that the project, and the corresponding application for building permits and/or a business license, be held in abeyance without approval.

\_\_\_\_\_  
Signature of Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Authorized Property Owner

\_\_\_\_\_  
Date

**Building Division Condition:**

1. The Applicant shall comply with the 2007 California Building Code (CBC), California Mechanical Code (CMC), California Plumbing Code (CPC), California Electrical Code (CEC), California Fire Code (CFC), 2008 California Energy Code, the Green Building Ordinance (CVMC 15.12) and all other locally adopted City and state requirements.

**II. The following conditions shall be satisfied prior to occupancy:**

**Fire Conditions:**

2. The Applicant shall provide a Knox Vault at the main entrance to the building.
3. The building shall be addressed in accordance with the following criteria:
  - 0 – 50ft from the building to the face of the curb = 6-inches in height with a 1-inch stroke
  - 51 – 150ft from the building to the face of the curb = 10-inches in height with a 1 ½ -inch stroke
  - 151ft from the building to the face of the curb = 16-inches in height with a 2-inch stroke

4. The Applicant shall provide one (1) 2-A-10-B-C fire extinguisher for every 3000 square feet of travel in any direction, show location on the plan. Indicate the size of the fire extinguisher. Minimum required is.

**III. The following on-going conditions shall apply to the subject property as long as it relies upon this approval.**

5. The Applicant shall maintain the Project in accordance with the approved plans for PCC-10-030 date stamped on August 13, 2010, which includes a site plan and elevations on file in the Planning Division, the conditions contained herein, Title 19, and the EastLake SPA I Plan.
6. Worship services and Bible study classes shall be held on Sundays only.
7. Approval of this Conditional Use Permit shall not waive compliance with all sections of Title 19 (Zoning) of the Municipal Code, and all other applicable City Ordinances in effect at the time of building permit issuance.
8. This Conditional Use Permit authorizes only the use specified in the application for PCC-10-030, which shall expire in five years on August 13, 2015 unless a request for extension is made to the Zoning Administrator. Any new use or modification/expansion of uses authorized under PCC-10-030 shall be subject to the review and approval of the Zoning Administrator.
9. The Applicant/Operator shall and does hereby agree to indemnify, protect, defend and hold harmless City, its Council members, officers, employees, agents and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorneys' fees (collectively, "liabilities") incurred by the City arising, directly or indirectly, from (a) City's approval and issuance of this Conditional Use Permit, (b) City's approval or issuance of any other permit or action, whether discretionary or non-discretionary, in connection with the use contemplated herein. Applicant/Operator shall acknowledge their agreement to this provision by executing a copy of this conditional use permit where indicated, above. Applicant's/Operator's compliance with this provision is an express condition of this conditional use permit and this provision shall be binding on any and all of Applicant's/Operator's successors and assigns.
10. This Conditional Use Permit shall become void and ineffective if not utilized or extended within the time allotted in Section 19.14.260 of the Municipal Code.
11. Any violations of the terms and conditions of this permit may result in the imposition of civil or criminal penalties and/or the revocation or modification of this permit.
12. If any of the foregoing conditions fails to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to

revoke or modify all approvals herein granted, deny, or further condition issuance of all future building permits, deny, revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted, institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation. Applicant or a successor in interest gains no vested rights by the City's approval of this conditional use permit.

APPROVED BY ZONING ADMINISTRATOR OF THE CITY OF CHULA VISTA,  
CALIFORNIA, this 13<sup>th</sup> day of August 2010.

  
Mary Ladiana  
Zoning Administrator